

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: October 17, 2011
Item No.: 15 . a

Department Approval

City Manager Approval

W. Mahonen

Item Description: City Councilmember McGehee request to discuss requiring the buildings being rehabilitated to install fire sprinklers and handicapped accessibility.

1 **BACKGROUND**

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3 At the October 10, 2001 City Council meeting, City Councilmember McGehee requested that the
4 Council discuss potentially requiring buildings that are being rehabilitated to install fire
5 sprinklers and handicapped accessibility improvements if they are not already installed. Staff has
6 attached previous correspondence on this matter to the case.

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8 **STAFF RECOMMENDATION**

9 Pursuant to Rule #3 of the Rules of Procedure, this item, requested by Councilmember
10 McGehee, is included on this agenda under Councilmember Initiated Future Agenda Items, and
11 will be included on a future agenda for action by the Council.

12 **REQUESTED COUNCIL ACTION**

13 None at this time. Pursuant to Rule #3 of the Rules of Procedure, this item, requested by
14 Councilmember McGehee, is included on this agenda under Councilmember Initiated Future
15 Agenda Items, and will be included on a future agenda for action by the Council.

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18 **Prepared by: Patrick Trudgeon, Community Development Director**

Attachments: A: Email Correspondence

Pat Trudgeon

From: Bill Malinen
Sent: Thursday, September 29, 2011 12:15 PM
To: *RVCouncil; Tim O'Neill; Pat Trudgeon
Subject: FW: Apartment Fire Sprinklers

Done.

-----Original Message-----

From: Tam McGehee [<mailto:tam@mcgehee.info>]
Sent: Thursday, September 29, 2011 9:14 AM
To: Bill Malinen
Subject: RE: Apartment Fire Sprinklers

Bill,

To avoid any violation of any obscure laws or ordinances, please forward this e-mail to Pat, Tim, and the City Council and any one else on the original list.

Thank you,

Tammy

Bill,

I am well aware of the state law regarding rehabbing of apartment buildings. That does not preclude Roseville from being somewhat proactive. In my opinion, the spending of approximately one million dollars of TIF (which is also taxpayers' money) to "upgrade" an apartment building but fail to require sprinklers as a fire suppression aid is neither good policy or good planning. As we utilized a "development agreement" and taxpayer subsidies, we did have the right to make any requests we so chose. We had an apartment complex in very poor shape that could perhaps have been condemned. What we now have is 120 apartments that are not handicapped accessible or supplied with fire suppression sprinklers.

Although this was not done on my watch, I am curious about whether these limitations on the rehab were included in the packet or the discussion when this project initially came forward. If we are to move forward, as opposed to marking time or moving backward, as a city, it seems that we should take every opportunity to upgrade our housing stock to modern standards. These units received the equivalent of a facelift and left us with a fundamental safety hazard for the next thirty years.

Perhaps you would like to bring up what is included in our information packets and whether we would like to review our policies with regard to multifamily housing renovations.

Tammy

----- Original Message -----

Subject: Apartment Fire Sprinklers
From: Bill Malinen <bill.malinen@ci.roseville.mn.us>
Date: Thu, September 29, 2011 8:51 am
To: *RVCouncil <city.council@ci.roseville.mn.us>

Cc: Tim O'Neill <tim.oneill@ci.roseville.mn.us>, Pat Trudgeon
<pat.trudgeon@ci.roseville.mn.us>

Mayor & Councilmembers:

At your latest meeting, Councilmember McGehee stated that the City had just authorized another 120 units in the Sienna Green project without sprinklers; and opined that the City needed to keep that in mind with future developments and attempt to remedy that safety concern.

Attached for your information is a memorandum from the Fire Department staff addressing the requirements for sprinkling in apartment building, and specifically how those codes relate to the Sienna Green (Har Mar) apartments. As you will note, the City could not require the installation of sprinklers in the older remodeled buildings - Phase I (120 units), but will in the new building - Phase II (50 units).

Bill Malinen
City Manager
City of Roseville, MN 55113
2660 Civic Center Drive
651.792.7021

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INTEROFFICE MEMORANDUM

TO: CHIEF O'NEILL
FROM: FIRE MARSHAL LOFTUS *LO*
SUBJECT: AUTOMATIC SPRINKLER REQUIREMENTS IN R-2 OCCUPANCIES
DATE: 9/28/2011

Regarding the requirements for Automatic Fire Sprinklers in new and existing Apartment Buildings (Building and Fire Code classification R-2), the following are the requirements based on the Minnesota State Fire and Building Codes.

Definitions: Fire Code and Building Code both define Existing Structures as those structures erected prior to the adoption of the appropriate code.

Applicability: Fire Code and Building Code requirements apply to structures constructed after the legal adoption of the codes. The Building and Fire Codes currently in effect were adopted by the State of Minnesota effective July 10, 2007.

Automatic Sprinkler Requirements for Apartment buildings:

1. Buildings constructed prior to the adoption of the first fire code in the State of Minnesota, October 3, 1975, have no requirements for Automatic if not installed as an alternative at the time of construction.
2. Buildings constructed after the adoption of the 2003 Fire and Building Codes (effective date March 31, 2003) were required to be provided with Automatic Sprinkler protection if there were more than 16 dwelling units in the building or if the building was over 3 stories in height. All apartment building constructed prior the date of adoption are considered to be existing and had NO automatic Sprinkler requirements.
3. Buildings constructed after the adoption of the 2007 Building and Fire Codes which became effective on July 10, 2007 are required to be provided with Automatic Sprinkler protection when the fire area exceeds 9,250 square feet or is more than 3 stories above grade.

These requirements are found in both the Minnesota Fire Code and Minnesota Building Code.

Har Mar Apartments, 2225-2265 Snelling Avenue:

These buildings were built in 1964. As you see, there was no Fire Code adopted by the State of Minnesota at the time of construction. Although there was a cosmetic and weatherization project completed in 2010, the scope of work did not meet the threshold of new

construction requirements per the Building nor Fire Codes. Therefore, we could not require the installation of Automatic Sprinkler systems in the existing buildings. There is an additional building being proposed for the site which does meet the requirements for the installation of Automatic Sprinklers and the developer has been made aware of the requirement.

Under the codes in effect today, the existing buildings (21 dwelling units each) would require the installation of Automatic Sprinklers but because they met the requirements in place at the time of construction, we are prohibited from imposing new construction requirements.